

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA**

---

In re:	)	) Chapter 11
	)	)
MERCY HOSPITAL, IOWA CITY, IOWA, <i>et al.</i> ,	)	Case No. 23-00623 (TJC)
	)	
Debtors.	)	Jointly Administered
	)	
	)	

---

**AGREED ORDER HOLDING TRUST OVERSIGHT COMMITTEE'S SHOW CAUSE  
MOTION IN ABEYANCE AND ENTERING TOLLING AGREEMENT**

Upon the motion at docket number 1941 (the “Motion”) of the OC<sup>1</sup> for entry of an order to show cause against MercyOne related to the OC Rule 2004 Order and for tolling of certain statutes of limitation against MercyOne, all as more fully set forth in the Motion; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and the *Public Administrative Order* referring bankruptcy cases entered by the United States District Court for the Northern District of Iowa; and this Court being able to enter a final order consistent with Article III of the United States Constitution; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and MercyOne and the OC having come to an agreement related to the Motion; and this Court having reviewed the Motion; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief

---

<sup>1</sup> Capitalized terms used herein but not otherwise defined shall have the meaning ascribed to them in the Motion.

granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefore, it is **HEREBY ORDERED THAT:**

1. The Motion is held in abeyance pending MercyOne's investigation into gaining access to copies of the electronically stored email communications that are the subject of the Motion and potentially responsive to the OC Rule 2004 Order, as set forth further in the *Tolling Agreement* attached hereto as **Exhibit 1** (the "*Tolling Agreement*").

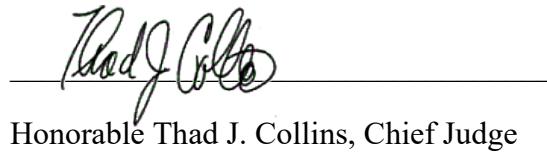
2. Although Robert Ritz, Michael Trachta, Jack Dusenbery, David Vellinga, and Sean Williams have not signed the Tolling Agreement, they are represented by counsel for MercyOne for this purpose and have agreed to be bound by the Tolling Agreement and this Order.

3. The Tolling Agreement among the OC, MercyOne, Robert Ritz, Michael Trachta, Jack Dusenbery, David Vellinga, and Sean Williams is hereby entered, ordered, and approved in its entirety.

4. This Order does not affect nor supersede MercyOne's obligations under the OC Rule 2004 Order.

5. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Dated and entered this 6th day of August, 2025.



\_\_\_\_\_  
Honorable Thad J. Collins, Chief Judge

**Prepared and Submitted By:**

**NYEMASTER GOODE, P.C.**

Roy Leaf, AT0014486  
625 First Street SE, Suite 400  
Cedar Rapids, IA 52401-2030  
Telephone: (319) 286-7002  
Facsimile: (319) 286-7050  
Email: rleaf@nyemaster.com

*Counsel for the Mercy Hospital Liquidation Trust Oversight Committee as Designee of the Liquidation Trustee*

So Consented:

/s/ David Goroff  
David Goroff  
Counsel to Mercy Health Network, Inc.